

PROPOSED BOARD FOR CONTRACTORS REGULATIONS
 PROPOSED TRADESMAN REGULATIONS
 Adopted August 20, 2003

18 VAC 50-22-100. Fees.

Each check or money order shall be made payable to the Treasurer of Virginia. All fees required by the board are nonrefundable. In the event that a check, money draft or similar instrument for payment of a fee required by statute or regulation is not honored by the bank or financial institution named, the applicant or regulant shall be required to remit fees sufficient to cover the original fee, plus ~~the additional processing charge specified below:~~ an additional processing charge set by the Department.

Fee Type	When Due	Amount Due
Class C Initial License	with license application	\$125 <u>\$150</u>
Class B Initial License	with license application	\$150 <u>\$175</u>
Class A Initial License	with license application	\$175 <u>\$200</u>
Declaration of Designated Employee	with license application	\$30 <u>\$40</u>
Qualified Individual Exam Fee	with exam application	\$20
Class B Exam Fee	with exam application (\$20 per section)	\$40
Class A Exam Fee	with exam application (\$20 per section)	\$60
Water Well Exam	with exam application	\$40
Dishonored Check Fee	with replacement check	\$25

Note: A \$25 Recovery Fund assessment is also required with each initial license application. If the applicant does not meet all requirements and does not become licensed, this assessment will be refunded. The examination fees approved by the board but administered by another governmental agency or organization shall be determined by that agency or organization.

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18 VAC 50-22-140. Renewal fees.

Each check or money order should be made payable to the Treasurer of Virginia. All fees required by the board are nonrefundable.

In the event that a check, money draft, or similar instrument for payment of a fee required by statute or regulation is not honored by the bank or financial institution named, the applicant or regulant shall be required to remit fees sufficient to cover the original fee, plus ~~the additional processing charge specified below:~~ an additional processing charge set by the Department.

Fee Type	When Due	Amount Due
Class C Renewal	with renewal application	\$100 <u>\$110</u>
Class B Renewal	with renewal application	\$135 <u>\$150</u>
Class A Renewal	with renewal application	\$150 <u>\$165</u>
Dishonored Check Fee	with replacement check	\$ 25

The date on which the renewal fee is received by the Department of Professional and Occupational Regulation or its agent shall determine whether the licensee is eligible for renewal or must apply for reinstatement.

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18 VAC 50-22-170. Reinstatement fees.

Each check or money order should be made payable to the Treasurer of Virginia. All fees required by the board are nonrefundable. In the event that a check, money draft, or similar instrument for payment of a fee required by statute or regulation is not honored by the bank or financial institution named, the applicant or regulant shall be required to remit fees sufficient to cover the original fee, plus ~~the additional processing charge specified below:~~ an additional processing charge set by the Department.

Fee type	When Due	Amount Due
Class C Reinstatement	with reinstatement application	\$ 225* <u>\$260*</u>
Class B Reinstatement	with reinstatement application	\$285* <u>\$325*</u>
Class A Reinstatement	with reinstatement application	\$325* <u>\$365*</u>
Dishonored Check Fee	with replacement check	\$ 25

* Includes renewal fee listed in 18 VAC 50-22-140.

The date on which the reinstatement fee is received by the Department of Professional and Occupational Regulation or its agent shall determine whether the licensee is eligible for reinstatement or must apply for a new license and meet the entry requirements in place at the time of that application. In order to ensure that licensees are qualified to practice as contractors, no reinstatement will be permitted once ~~six months~~ one year from the expiration date of the license has passed.

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18 VAC 50-22-250. Fees.

Each check or money order should be made payable to the Treasurer of Virginia. All fees required by the board are nonrefundable. In the event that a check, money draft, or similar instrument for payment of a fee required by statute or regulation is not honored by the bank or financial institution named, the applicant or regulant shall be required to remit fees sufficient to cover the original fee, ~~plus the additional processing charge specified below:~~ an additional processing charge set by the Department.

Fee Type	When Due	Amount Due	
Change of Designated Employee	with change form	\$30	<u>\$40</u>
Change of Qualified Individual	with change form	\$30	<u>\$40</u>
Addition of Classification or Specialty	with addition application	\$30	<u>\$40</u>
Dishonored Check Fee	with replacement check	\$25	

18 VAC 50-30-90. Fees for licensure, certification and examination.

A. Each check or money order shall be made payable to the Treasurer of Virginia. All fees required by the board are nonrefundable and the date of receipt by the department or its agent is the date that will be used to determine whether or not it is on time. Fees remain active for a period of one year from the date of receipt and all applications must be completed within that time frame.

B. In the event that a check, money draft or similar instrument for payment of a fee required by statute or regulation is not honored by the bank or financial institution named, the applicant or regulant shall be required to

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remit fees sufficient to cover the original fee, plus ~~the additional processing charge of \$25~~ an additional processing charge set by the Department.

C. Tradesman license – original fee – by examination. The fee for an initial tradesman license shall be ~~\$75:~~ \$90.

D. Tradesman license – original fee – without an examination, through successful completion of an appropriate apprenticeship program offered through the Virginia Voluntary Apprenticeship Act. The fee for an initial tradesman license shall be ~~\$75:~~ \$90.

E. Commencing July 1, 1995, the Department of Professional and Occupational Regulation will institute a program of issuing tradesman's cards. Those tradesmen who hold valid tradesmen cards issued by local governing bodies prior to July 1, 1995, must replace the old cards with new cards issued by the Board for Contractors.

In order to obtain the tradesman card issued by the Board for Contractors, the individual must use the current application form provided by the Department of Professional and Occupational Regulation. The fee for card exchange application processing is ~~\$20:~~ \$40. As a matter of administrative necessity, the department will assign expiration dates in a manner that will stagger renewals for these applicants. Once the initial period ends, all renewals will be for a period of 24 months.

F. Commencing July 1, 1998, the Department of Professional and Occupational Regulation will institute a voluntary program of issuing backflow prevention device worker certification cards. Those individuals who hold valid backflow prevention device worker certifications issued by local governing bodies or the Virginia Department of Health prior to that date may replace those cards with new cards issued by the board.

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In order to obtain the backflow prevention device worker certification card issued by the board, the individual must use the current application form provided by the department. The fee for the card exchange application and processing is ~~\$20~~; \$40. The term of the certification will be for a period of 24 months.

G. Backflow prevention device worker certification through the “grandfather” clause of § 54.1-1131 B 2 of the **Code of Virginia** expired on July 1, 1999.

H. Commencing on the effective date of the board’s final regulations, the Department of Professional and Occupational Regulation will add the trades of liquefied petroleum gas fitter and natural gas fitter provider to the trades regulated by the Board for Contractors. The fee for the initial licensure shall be ~~\$75~~; \$90.

18 VAC 50-30-120. Renewal.

A. Tradesman licenses or backflow prevention device worker certification cards issued under this chapter shall expire two years from the last day of the month in which they were issued, as indicated on the tradesman license or the backflow prevention device worker certification card.

B. The fee for renewal of a tradesman license is ~~\$35~~; \$40. The fee for renewal of a backflow prevention device worker certification card is ~~\$35~~; \$40. All fees required by the board are non-refundable and shall not be prorated.

The board will mail a renewal notice to the regulant outlining procedures for renewal. Failure to receive this notice, however, shall not relieve the regulant of the obligation to renew. If the regulant fails to receive the renewal notice, a photocopy of the tradesman license or backflow prevention device worker certification care may be submitted with the required fee as an application for renewal within 30 days of the expiration date.

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The date on which the renewal fee is received by the department or its agent will determine whether the regulant is eligible for renewal or required to apply for reinstatement.

The board may deny renewal of a tradesman license or of a backflow prevention device worker certification card for the same reasons as it may refuse initial issuance or to discipline a regulant. The regulant has a right to appeal any such action by the board under the Virginia Administrative Process Act (§ 2.2-4000 et seq. of the **Code of Virginia**).

Failure to timely pay any monetary penalty, reimbursement of cost, or other fee assessed by consent order or final order shall result in delaying or withholding services provided by the department, such as, but not limited to, renewal, reinstatement, processing of a new application, or exam administration.

18 VAC 50-30-130. Reinstatement.

A. Should the department of Professional & Occupational Regulation fail to receive the renewal application or fees within 30 days of the expiration date, the regulant will be required to reinstate the tradesman license or backflow prevention device worker certification card.

B. The fee for reinstatement of a tradesman license (all designations) is ~~\$75~~ \$90 (this is in addition to the ~~\$35~~ \$40 renewal fee, which makes the total fee for reinstatement ~~\$110~~ \$130). The reinstatement fee for a backflow prevention device worker certification card is ~~\$75~~ \$90 (this is in addition to the ~~\$35~~ \$40 renewal fee, which makes the total reinstatement fee ~~\$110~~ \$130). All fees required by the board are non-refundable and shall not be prorated.

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Applications for reinstatement shall meet the requirements of 18 VAC 50-30-30.

The date on which the reinstatement fee is received by the department or its agent will determine whether the license or certification card is reinstated or a new application is required.

In order to ensure that license or certification card holders are qualified to practice as tradesmen or backflow prevention device workers, no reinstatement will be permitted once one year from the expiration date has passed. After that date the applicant must apply for a new tradesman license or backflow prevention device worker certification card and meet the then current entry requirements.

Any tradesman activity conducted subsequent to the expiration of the license may constitute unlicensed activity and may be subject to prosecution under Title 54.1 of the **Code of Virginia**. Further, any person who holds himself out as a certified backflow prevention device worker, as defined in § 54.101128 of the **Code of Virginia**, without the appropriate certification, may be subject to prosecution under Title 54.1 of the **Code of Virginia**.

C. The board may deny reinstatement of a tradesman license or a backflow prevention device worker certification card for the same reasons as it may refuse initial issuance or to discipline a regulant. The regulant has a right to appeal any such action by the board under the Virginia Administrative Process Act (§ 2.2-4000 et seq. of the **Code of Virginia**).

Failure to timely pay any monetary penalty, reimbursement of cost, or other fee assessed by consent order or final order shall result in delaying or withholding services provided by the department, such as, but not limited to,